

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION**

GARY BURRELL and ANTOINE LEE,  
on behalf of themselves and others  
similarly situated,

Plaintiffs,

v.

GUSTECH COMMUNICATIONS, LLC,

Defendant.

**C.A. No.: 0:18-cv-00508-DCC**

**MOTION FOR EXTENSION OF TIME  
TO RESPOND TO THE DEADLINES  
ESTABLISHED BY THE COURT IN THE  
ORDER OF CONSOLIDATION AND ON  
MOTION FOR CERTIFICATION OF  
COLLECTIVE ACTION**

ROBERT WESTBERRY, and JARED  
STUBBLEFIELD, individually, and on  
behalf of all others similarly situated under  
29 USC 216(b),

Plaintiffs,

v.

GUSTECH COMMUNICATIONS, LLC,  
and GUSTAVO SANTAMARIA,  
Individually,

Defendants.

**C.A. No.: 0:18-cv-02043-CMC**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Civil Rule 6.01, the defendant, Gustech Communications, LLC moves the Court for an additional ten (10) days to respond to the deadlines set by the Court in the Order of Consolidation and on Motion for Certification of Collective Action in *Burrell* and in the Order of Consolidation in *Westberry*. In support of this Motion, Gustech Communication, LLC states the following:

1. The Court's Order of Consolidation and on Motion for Certification of Collective Action in *Burrell* and Order of Consolidation in *Westberry* were entered on October 4, 2018.
2. The Court's Order established the following deadlines:
  - October 11, 2018: Deadline for local counsel to make an appearance for the defendants in the *Westberry* case.
  - October 18, 2018: Deadline for the parties to confer on the Motion for Conditional Certification.
  - October 25, 2018: Deadline for one of the two following things to occur: (1) plaintiffs are to file a supplemental Brief if there is no agreement between the parties on the Conditional Certification issue, or (2) the parties jointly are to file a proposed Notice if there is agreement.
  - November 2, 2018: If there is no agreement reached by the parties on the issue of Conditional Certification, the defendants can reply to the plaintiff's supplemental Brief.

To date, the firm of Gallivan, White & Boyd, P.A. has not been retained by the defendants in the *Westberry* case; however, we are seeking a brief extension of time on behalf of Gustech Communications, LLC in both cases and on behalf of Gustavo Santamaria in the *Westberry* case to allow the defendants sufficient time to consider how to proceed with the retention of local counsel in *Westberry*. The defendants asked the plaintiffs to consent to a twenty-one (21) day extension of time for the defendants to file a Notice of Appearance in the *Westberry* case; however, the plaintiffs did not agree to the defendants' request for an extension of time. **(See e-mail from David Rothstein dated October 10, 2018, attached hereto as Exhibit 1).**

WHEREFORE, Gustech Communications, LLC and Gustavo Santamaria respectfully request that the Court extend the deadline for local counsel to make an appearance in the *Westberry* case until October 22, 2018, that the Court extend the deadline for the parties to confer on the Motion for Conditional Certification to October 29, 2018, that the Court extend the

deadline for the plaintiffs to file a Supplemental Brief or for the parties to jointly file a proposed Notice to November 5, 2018, and if no agreement is reached by the parties on the issue of Conditional Certification, that the deadline for the defendants to file a reply to the plaintiffs' Supplemental Brief be extended to November 12, 2018. This request is made to allow the defendants time to consider how to proceed with retention of local counsel in *Westberry* and to allow the firm ultimately obtained as local counsel time to confer on the Motion for Conditional Certification and/or to agree to a proposed Notice or respond to a Supplemental Brief of the plaintiffs.

Respectfully submitted,

October 11, 2018

s/Deborah Casey Brown

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